



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
REGIONAL COUNSEL

MAR 22 2011

Reply to: ORC-158

CERTIFIED MAIL / RETURN RECEIPT REQUESTED

Ms. Page Turney
Office of General Counsel
720 Kennon Street, S.E., Room 233
Washington Navy Yard, D.C.
20374-5013

Re: Engineering Evaluation/Cost Analysis for the Gorst – Bremerton Landfill Site,
Port Orchard, Washington

Dear Ms. Turney:

This letter provides notice of the decision by Region 10 of the Environmental Protection Agency (EPA) to seek approval to conduct an Engineering Evaluation/Cost Analysis (EE/CA) for the Gorst – Bremerton Landfill Site (Site) in Port Orchard, Washington. In a General Notice Letter dated December 24, 2009, EPA notified the U.S. Navy that it may be liable under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for cleanup of the Site or the costs EPA incurs in cleaning the Site.

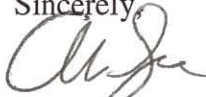
EPA's determination of the Navy's potential liability is based on documentary and testimonial evidence that the Puget Sound Naval Station disposed of waste material at the Site. In or around 1969, the owner of the Site contracted with the Puget Sound Naval Station to dispose of industrial trash, garbage, construction debris, and chemical and oil wastes in the Gorst Creek ravine dissecting the Site. Over a number of years the ravine was completely filled with waste material. Gorst Creek was channeled through the bottom of the ravine using a series of 24 inch culverts. The pressure of the waste material eventually damaged the culvert, causing Gorst Creek to back up at the entrance to the culvert during periods of precipitation. As the water level rises, the Creek eventually crests over the landfill causing severe erosion that carries waste material downstream and threatens adjacent State Highway 3. This Highway is the primary road for access to Naval Base Kitsap and the Bangor Trident Base.

The EPA is seeking approval to conduct an EE/CA for a non-time critical removal action at the Site that will address threats to public health, welfare, and environment. The purpose of this EE/CA will be to provide analysis on a range of removal action alternatives. In your email of September 23, 2010, you stated that the Navy's liability had not been determined and that it had no plans to conduct a removal action. The purpose of this letter is to notify you of EPA's intended actions. As a potentially responsible party, the Navy may be liable for the costs incurred by EPA in conducting the EE/CA and for the costs associated with implementation of the selected removal.

In addition to the EE/CA process, EPA is also sending General Notice Letters to the current owner of the Site, the S.T. Trust, and to a former owner of the landfill, Mr. Earl M. King.

If you have any questions concerning the EE/CA process, or wish to discuss the Navy's involvement in future response actions at the Site, please feel free to contact me at (206) 553-4710, or by email at fidis.alexander@epa.gov.

Sincerely,



Alex Fidis

Assistant Regional Counsel

EPA Region 10

